

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JOSHUA J. HORKAN,
Plaintiff,

v.

Case No. 05-C-1304

SEAQUIST CLOSURES,
Defendant.

DECISION AND ORDER

Plaintiff Joshua J. Horkan, a pro se litigant, has filed an action under the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12101 et. seq, alleging that defendant terminated him from his employment in violation of the act. On February 28, 2007, defendant filed a motion for summary judgment. Plaintiff, citing his pro se status and inability to find legal representation, has filed several requests for extension of time, the last of which defendant opposes.

While I am sympathetic to plaintiff's endeavors, I cannot continue to grant extensions of time and hold the case open indefinitely. I will give plaintiff one final extension of time to respond to defendant's motion. Plaintiff's brief in opposition to defendant's motion for summary judgment is due August 9, 2007. If plaintiff fails to respond by that date, plaintiff is hereby notified that I may rule on defendant's motion without his input or may dismiss this matter for lack of prosecution pursuant to Civil L.R. 41.3 . I also note that plaintiff is free to voluntarily dismiss the case without prejudice if he feels that he is unable to pursue the case at this time, although plaintiff should take into consideration that any statutes of limitation on his claims may run during this period.

Therefore,

IT IS ORDERED that plaintiff's request for an extension of time is **GRANTED**. Plaintiff's brief in opposition to defendant's motion for summary judgment is due **August 9, 2007**.

Dated at Milwaukee, Wisconsin this 25 day of July, 2007.

/s _____
LYNN ADELMAN
District Judge